

### REMARKS

This is in response to the Office Action of July 26, 2007. Applicants gratefully acknowledge the indication of allowable subject matter in this application. Specifically, the Examiner has kindly indicated that at least claims 4, 8, 10, and 12 are allowable. In this Amendment, claim 4 is rewritten in independent form. Claim 7 is limited to both two Rs being groups represented by Formula (3) when W = carbonyl, p = 2, and q = 0 and to any one of R or R' being a group represented by Formula (3) and the other being a hydrogen atom when W = carbonyl or sulfonyl, p = 1, and q = 1. Claims 9, 11, and 13 are cancelled, without prejudice. No new subject matter is introduced into the application by this Amendment.

With this Amendment, claims 1, 3-8, 10, and 12 are pending in the application, of which claims 3, 5, and 6 are withdrawn species of the invention of claim 1. The Examiner is respectfully urged to *rejoin* claims 3, 5, and 6, and to treat them on their merits in this application along with claims 1, 4, 7, 8, 10, and 12.

Claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the Cinque article. Office Action, page 4. The rejection does not apply to claim 1 in its present form. Cinque discloses a compound 48, in which W is a sulfur atom and R is an allyl group. However, R in Cinque is not a group represented by Formula (3) of the present invention. Additionally, Cinque fails to disclose a compound wherein m is an integer of 1 to 4. Further, Cinque discloses a compound 52, wherein R is a vinyl ether group and W is an oxygen atom. In claim 1 currently before the Examiner, W is selected from the group consisting of arylene groups, sulfur atoms, and thiocarbonyl groups. Therefore, compound 52 is not a compound of the present invention. The

Examiner argues that one could modify the Cinque compounds by replacing the oxygen with a sulfur group. However, the oxygen to be replaced with a sulfur group is at carbon-1 of the aliphatic chain (giving rise to a series of thiolcarbamates, etc.) and not at the W position. See Cinque, page 1543, left column, lines 7-10. The Examiner also contends that one could modify the Cinque compounds by replacing the allyloxy group with its isomer, vinyl ether. However, this theoretical replacement applies to compound 52 in Cinque, in which W is an oxygen atom (Cinque, page 1543, left column, lines 7-10). Therefore, Cinque does not disclose or suggest a compound wherein W is a sulfur atom containing a vinyl ether group. Accordingly, it is manifest that the subject matter of claim 1 in its present form is neither taught nor suggested by the Cinque disclosure.

Claims 7 and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sharettis. Office Action, page 3. Claims 7 and 13 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kurisu. Office Action, page 3. Claim 7 was rejected under 35 U.S.C. § 102(b) as being anticipated by Kanayama. Office Action, page 3. Claims 7 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanayama. Office Action, page 5. Claim 7 was rejected under 35 U.S.C. § 102(b) as being anticipated by Hardy. Office Action, page 3. Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanayama. Office Action, pages 5-6. None of these grounds of rejections applies to any claim currently before the Examiner.

Claims 9, 11, and 13 have been cancelled.

Claim 7 has been limited: to both two Rs being groups represented by Formula (3) when W is carbonyl,  $p = 2$ , and  $q = 0$ ; and to any one of R or R' being a group represented by Formula (3) and the other being a hydrogen atom when W is carbonyl or sulfonyl,  $p = 1$ , and  $q = 1$ . These

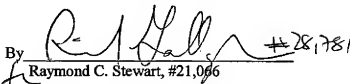
amendments overcome the Sharettis, Kurisu, and Kanayama references.

In the compounds of Hardy, q is 1 and R', denoted in the same way as in the present invention, is a hydrogen atom; and p is 2 and, in the two Rs (R being denoted in the same way as the present invention), one is a hydrogen atom and the other is a vinoxylethyl group and not a vinoxyl group as argued by the Examiner. See Hardy, column 3, line 12. The vinoxylethyl group is not a group represented by Formula (3) herein. Additionally, in Applicants' claim 7, q is 0 or 1, not 2. Accordingly, the subject matter of claim 7 is neither taught nor suggested by the Hardy disclosure.

For the reasons given above, the Examiner is respectfully requested to withdraw all rejections of record, and to pass all claims currently pending in this application to Issue. If there are any questions concerning the present application, the Examiner is respectfully requested to contact Richard Gallagher (Reg. No. 28,781) at (703) 205-8008.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #28,781  
Raymond C. Stewart, #21,066

RCS/RG  
3273-0182P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000